

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

UNITED STATES OF AMERICA

v.

CALVIN NELSON TRAMBLE

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Case No. 1:98-cr-77 -05
Judge Edgar

ORDER

On March 14, 2008, defendant and federal prisoner Calvin Nelson Tramble (“Tramble”) made a *pro se* motion seeking the appointment of counsel to represent him in bringing a motion to modify and reduce his term of imprisonment pursuant to 18 U.S.C. § 3582(c)(2) based on a retroactive application of Amendments 706 to the United States Sentencing Guidelines. [Doc. No. 1097]. The Court granted the motion and appointed Federal Defender Services of Eastern Tennessee (“FDS”) to represent Tramble in this matter. [Doc. No. 1073].

On July 3, 2008, Tramble acting *pro se* wrote a letter to this Court. The Clerk of the District Court is **DIRECTED** to docket and treat the letter [Doc. No. 1097] as a motion by Tramble to modify and reduce his term of imprisonment pursuant to 18 U.S.C. § 3582(c)(2). The United States government has filed a response opposing the motion [Doc. No. 1107], and Tramble has submitted a *pro se* reply. [Doc. No. 1108].

It is the Court’s order that Tramble be represented in this matter by FDS. The Court appointed FDS as counsel for Tramble. On or before **November 17, 2008**, FDS shall file a brief or memorandum of law on behalf of Tramble.

The United States Probation Office shall prepare and provide to the Court and to counsel for the parties a supplemental sentencing report or Sentence Modification Report that addresses the following issues:

- (1) A summary of the procedural history of the sentencing decisions, including whether the original sentence was imposed pursuant to *United States v. Booker*, 543 U.S. 220 (2005), reflected any departures or variances, or was reduced under U.S.S.G. § 5K1.1 or Fed. R. Crim. P. 35(b);
- (2) The original Sentencing Guideline calculation, and a recalculation of the Guideline range in accordance with U.S.S.G. § 1B1.10 and Amendment 706 as amended by Amendment 711 to the Sentencing Guidelines;
- (3) A statement whether the movant is eligible for a reduction of sentence under 18 U.S.C. § 3582(c)(2) and U.S.S.G. § 1B1.10 based on a retroactive application of Amendments 706 and 711, and the basis and reasons for reaching that conclusion;
- (4) Any information available to the Probation Office from the United States Bureau of Prisons concerning the movant's post-sentencing conduct or misconduct while imprisoned in federal custody;
- (5) Any information available to the Probation Office concerning relevant public safety considerations, including the danger to any person or the community that may be posed by a reduction in the term of imprisonment. This includes information concerning the need to protect the public from the commission of further crimes by the movant; and
- (6) A recommendation for the Court's disposition of the 18 U.S.C. § 3582(c)(2) motion.

SO ORDERED.

ENTER this the 21st day of October, 2008.

/s/ R. Allan Edgar

R. ALLAN EDGAR
UNITED STATES DISTRICT JUDGE